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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/750,086	12/31/2003	Richard H. Hinkson	H0005941-0555	1897

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EXAMINER

GARY, ERIKA A

ART UNIT PAPER NUMBER

2617

DATE MAILED: 05/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

10/750,086

Applicant(s)

HINKSON, RICHARD H.

Examiner

Erika A. Gary

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 06 March 2006.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 60-74 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 60-74 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

DETAILED ACTION

Claim Rejections - 35 USC § 112

1. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

Claim 60 recites the limitation "said RF transmitter" in line 14. There is insufficient antecedent basis for this limitation in the claim.

Claim 60 recites the limitation "said second RF transceiver" in line 18. There is insufficient antecedent basis for this limitation in the claim.

Claim 60 recites the limitation "said RF receiver" in line 21. There is insufficient antecedent basis for this limitation in the claim.

Claim Objections

2. Claim 60 is objected to because of the following informalities: on line 10, "the user" should be "a user". Appropriate correction is required.

Claim 69 is objected to because of the following informalities: on line 22, the period before "initiates" should be deleted. Appropriate correction is required.

Claim 74 is objected to because of the following informalities: on line 10, "match is" should be "matches". Appropriate correction is required.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

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(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claims 60-74 are rejected under 35 U.S.C. 103(a) as being unpatentable over Thrasher, US Patent Application Publication Number 2004/0176142 (hereinafter Thrasher) in view of Fujisawa et al., US Patent Number 7,016,707 (hereinafter Fujisawa).

Regarding claims 60 and 69, Thrasher discloses a system to assist a user of a wired phone which comprises: a security panel that includes a connector to an associated phone line, a caller ID receiver and a first RF transceiver, said caller ID receiver cooperating with the associated phone line and said first RF transceiver cooperating with said caller ID receiver to transmit caller ID information, said security panel further including an audio amplifier and a speaker coupled to said audio amplifier in addition to a microprocessor that formats messages sent by said first RF transceiver to a second RF transceiver and a bracelet to be worn by an associated user that includes said second RF transceiver, said second RF transceiver cooperating with said first RF transceiver to access information provided by said first RF transceiver to indicate to the user information regarding an incoming call on the associated phone line [fig. 1; paragraphs 0030-0034].

What Thrasher does not disclose is that the bracelet includes at least one pushbutton cooperating with said second RF transceiver in said bracelet to produce a predetermined output from said second RF transceiver in said bracelet, said output of said second RF transceiver in said bracelet cooperating with said first RF transceiver in

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said security panel to produce a predetermined output to said microprocessor.

However, Fujisawa teaches this limitation. Fujisawa discloses a watch communicating with a mobile telephone (security panel) to cooperatively process an incoming call, wherein the bracelet (watch) includes at least one pushbutton cooperating with said second RF transceiver in said bracelet to produce a predetermined output from said second RF transceiver in said bracelet, said output of said second RF transceiver in said bracelet cooperating with said first RF transceiver in said security panel (mobile telephone) to produce a predetermined output to said microprocessor [abstract; col. 11: line 60 – col. 12: line 12].

Thrasher and Fujisawa are combinable because they are from the same field of endeavor, that is, remote caller identification alerting. At the time of the invention, it would have been obvious to one of ordinary skill in the art to modify Thrasher to include Fujisawa. The motivation would have been to modify Thrasher's receiver-enabled device (130) with Fujisawa's watch with transceiver capability in order to allow the user to respond to the incoming call through the watch or bracelet.

Regarding claims 61, 62, 66-68, and 70-72, Fujisawa disclose said predetermined output to said microprocessor causes the associated phone line to go off hook and deliver a predetermined message to the caller indicating that the user will answer the call shortly [col. 15: line 66 – col. 16: line 6].

Regarding claim 63, Fujisawa discloses said predetermined output to said microprocessor causes the activation of said audio amplifier [col. 26: lines 13-14].

Regarding claims 64 and 65, Fujisawa discloses at least a second pushbutton cooperating with said RF transceiver in said bracelet to produce a second predetermined output from said RF transceiver in said bracelet, said output of said RF transceiver in said bracelet cooperating with said RF transceiver in said security panel to produce a second predetermined output to said microprocessor [abstract; col. 15: lines 61-65; col. 16: lines 24-34].

Regarding claims 73 and 74, Fujisawa discloses the microprocessor comparing the caller ID number with an internal database to match it with a name or number [col. 23: lines 31-35].

Response to Arguments

5. Applicant's arguments with respect to claim 60-74 have been considered but are moot in view of the new ground(s) of rejection.

Conclusion

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not

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mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Erika A. Gary whose telephone number is 571-272-7841. The examiner can normally be reached on Monday-Thursday and alternate Fridays.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Marsha Banks-Harold can be reached on 571-272-7905. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

EAG
May 3, 2006


ERIKA A. GARY
PRIMARY EXAMINER